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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,663	09/12/2003	Hipolito Carrillo	23394.00	7559

37833 7590 09/16/2005

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EXAMINER

WELCH, GARY L

ART UNIT	PAPER NUMBER
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3765

DATE MAILED: 09/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/660,663

Applicant(s)

CARRILLO, HIPOLITO

Examiner

Gary L. Welch

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 09122003.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 6-8 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Sutherland (U.S. 2,275,206).

Sutherland discloses a boxing glove 1 with a glove body having an inner volume and an outer surface having an impact area. A device 3 is provided for reducing the force of a blow transmitted at impact. The device 3 comprises a fluid absorbent compressible material and is disposed adjacent to the impact area and in the inner volume. A first conduit 5 and second conduit 13 each having a proximate end in fluid communication with the material and a distal end opening into the ambient atmosphere is provided.

With regard to claims 2 and 3, the first and second conduits (5, 13) are provided at the wrist area of the glove 1.

With regard to claims 4 and 8, the first conduit 5 has an intake valve for enabling the device to be inflated.

With regard to claims 6 and 10, the device is fabricated from a rubberized foam material.

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With regard to claim 7, the invention is disclosed in one or more of the above rejections.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sutherland (U.S. 2,275,206) in view of Picchietti et al. (U.S. 5,427,577).

Sutherland discloses the invention substantially as claimed above.

However, Sutherland does not disclose that the second conduit has a pressure release valve positioned therein.

Picchietti et al. teaches a hand covering (Figure 7A) having a device 50 fabricated from a fluid absorbent, compressible material. The device 50 has a first conduit and a second conduit each having a proximate end in fluid communication with the material and a distal end opening into the ambient atmosphere (Figures 3A and 3B). A first conduit has an intake valve 61 and the second conduit has a pressure release valve 62. The pressure release valve enables the device 50 to be selectively inflated or deflated so as to enable the device to provide the degree of support and protection as desired by the user. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the second conduit of Sutherland with a pressure

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release valve as taught by Picchiatti et al. so as to enable the device of Sutherland to be selectively inflated or deflated so as to enable the device to provide the degree of support and protection as desired by the user.

With regard to claim 9, the invention is disclosed above.

Conclusion


5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Reynolds et al. '688 disclose a glove having a vibration reducing bladder with an air conduit and associated valving. Temple '120, Slizus et al. '853, Vrana '088, '445, 757 and '446 and Shibe disclose various pneumatic boxing gloves. Morgan '417 discloses a closed-system energy absorbing device for protection of a user from shock, impacts and vibration. Spector '770 discloses a boxing glove having an energy absorbing material provided therein. Solomon '118 discloses an inflatable padded glove having valving means for introducing air into the padding.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary L. Welch whose telephone number is (571) 272-4996. The examiner can normally be reached on Mon-Fri 5:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John J. Calvert can be reached on (571) 272-4983. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Gary L. Welch
Primary Examiner
Art Unit 3765

glw